

### REMARKS/ARGUMENTS

Applicant has reviewed and considered the Office Action mailed on March 9, 2004, and the references cited therewith.

Claims 1, 10, 20 and 28 were amended. Applicant respectfully submits that claims 1, 10, 20 and 28 were amended to more clearly recite the claimed subject matter, and not in response to any document cited in the Office Action.

Applicant respectfully submits that no new matter was added in amended claims 1, 10, 20 and 28, and that the specification supports the amendments. Claims 1-42 are pending in this application.

#### §103 Rejection of the Claims

Claims 1-6, 8, 10-25, and 27 were rejected under 35 USC § 103(a) as being unpatentable over U.S. Patent No. 6,088,652 to Abe (hereinafter "Abe") in view of U.S. Patent No. 6,182,010 to Berstis (hereinafter "Berstis") and U.S. Patent No. 5,739,772 to Nanba et al. (hereinafter "Nanba"). Claim 7 was rejected under 35 USC § 103(a) as being unpatentable over Abe, Berstis, and Nanba as applied to the claims above, and further in view of Yokoyama et al. (U.S. Patent No. 6,263,276). Claims 9 and 26 were rejected under 35 USC § 103(a) as being unpatentable over Abe, Berstis, and Nanba as applied to the claims above and further in view of Kaneko (U.S. Patent No. 5,729,109). Applicant respectfully traverses the rejections.

#### *Claims 1, 10, and 20*

Applicant's independent claims 1 (as amended), 10 (as amended), and 20 recite an electronic navigational aid device that recognizes an approaching decision point in a route and provides to a display an overlay to display the decision point. The decision point recited in the claims includes a highlighted portion indicating a course to follow through the decision point, and displays motion of the device on the course through the decision point on the overlay screen.

The Examiner cited Berstis to at least illustrate an overlay screen on top of a presently displayed screen. From Applicant's review, it appears Berstis provides a navigation system for a vehicle in which images or text are superimposed on or associated with the image to facilitate navigation (see the abstract). The images in

Berstis appear to include still photographs of the intersection (see the abstract), that can include a visual cue in the form of a "direction arrow 96" superimposed on the graphical image. Berstis, however, fails to teach or suggest a decision point that includes a highlighted portion indicating a course to follow through the decision point, and/or displays motion of the device on the course through the decision point on the overlay screen, as recited in claims 1, 10, and 20.

The Examiner also cited Abe to at least illustrate an electronic navigation aid device, and Nanba to at least illustrate advancing direction guidance information at guide branch points. Abe and Nanba, however, do not cure the above identified deficiencies of Berstis. For example, Abe fails to teach or suggest displaying motion of a device on a course through a decision point, as recited in claims 1, 10, and 20.

The Examiner, however, asserts that Nanba suggests the calculated route is highlighted through the decision point (indicating support can be found in at least Fig. 14 and related text) and that Nanba discloses the display motion of the device on the course through the decision point (indicating that support can be found in at least Figs. 11 and 12 and related text, where the mark "A" is the current position of the vehicle on the course). Applicant respectfully traverses these assertions.

From Applicant's review, it appears Nanba provides a navigation system for a vehicle in which advancing direction guidance information at a first guide branch point is displayed by partially overlapping it on advancing direction guidance information at a second guide branch point (abstract). With reference to Fig. 14 of Nanba, there is shown an intersection screen (col. 7, lines 26-27) having two or more guidance displays (arrow marks) to indicate the advancing directions along the route (col. 7, lines 28-36).

Fig. 11 of Nanba provides "a flow chart of processing to display advancing direction guidance", and Fig. 12 provides "a screen displayed by this display processing" (col. 6, lines 27-29). Fig. 12 shows layers of the advancing direction at the guide branch points with the road displayed at the center of the screen and "the present position is indicated by a mark of a triangle encircled by a circle" (col. 6, lines 39-46). Nanba goes on to indicate that:

By the present position detecting unit, the position of the vehicle is traced in step S24, and it is judged in step S25 whether the vehicle reached the destination or not. Until the vehicle reaches the destination, each time it is detected that the vehicle has passed through a guide branch point, the screen is updated in step S26, and advancing direction guidance marks for the next guide branch point and the guide branch point after the next are newly displayed. The updating of the screen is performed, for example, as follows: the advancing direction mark at the second predetermined position is erased, and the advancing direction mark for the next guide branch point (formerly the second guide branch point) is newly displayed at the second predetermined position, and the advancing direction mark for the new second guide branch point is displayed at the first predetermined position at the same time.

(col. 6, line 55 – col. 7, line 4). So, even though Nanba may trace the position of the vehicle as it passes through a guide branch point, Nanba fails to teach or suggest that the motion of the device is displayed on the course through the decision point on the overlay screen. In other words, Nanba fails to teach or suggest that the encircled triangle mark indicating the present position of the vehicle is actually displayed on the advancing direction guidance marks (e.g., the left and right arrow turn marks in Fig. 12) as the vehicle moves through the guide branch point.

Based on the forgoing, Applicant respectfully submits that Nanba does not cure the above identified deficiencies of Abe and Berstis. As such, each and every element of independent claims 1, 10, and 20 is not taught or suggested in Abe, Berstis and Nanba, either independently or in combination.

Reconsideration and withdrawal of the 103 rejection for the above independent claims, as well as those claims which depend therefrom, are respectfully requested.

#### *Claims 7, 9, and 26*

Applicant's claims 7 and 9 are dependent claims of independent claim 1, and claim 26 is a dependent claim of independent claim 20. As discussed above for claims 1 and 20, Abe, Berstis, and Nanba fail to teach or suggest a decision point that includes a highlighted portion indicating a course to follow through the decision

point, and/or displays motion of the device on the course through the decision point on the overlay screen, as recited in claims 1 and 20. As such, each and every element of independent claims 1 and 20 is not taught or suggested in Abe, Berstis and Nanba, either independently or in combination.

With respect to claim 7, the Examiner also cited Yokoyama to at least illustrate a navigation system having a navigation unit with a drive route history memory area and an instrument operation history memory area (Abstract). Yokoyama, however, does not cure the above identified deficiencies of Abe, Berstis and Nanba. For example, Yokoyama fails to teach or suggest displaying motion of a device on a course through a decision point on the overlay screen, as recited in claim 1. As such, each and every element of independent claim 1 is not taught or suggested in Abe, Berstis, Nanba, and Yokoyama, either independently or in combination. Therefore, the 103 rejection of claim 7 should be withdrawn.

With respect to claims 9 and 26, the Examiner also cited Kaneko to at least illustrate a navigation system and a voice guidance method for voice guidance of an intersection on a drive route (Abstract). Kaneko, however, does not cure the above identified deficiencies of Abe, Berstis and Nanba. For example, Kaneko fails to teach or suggest displaying motion of a device on a course on the overlay screen, as recited in claims 1 and 20. As such, each and every element of independent claims 1 and 20 is not taught or suggested in Abe, Berstis, Nanba, and Kaneko, either independently or in combination. Therefore, the 103 rejection of claims 9 and 26 should be withdrawn.

Reconsideration and withdrawal of the 103 rejection for claims 7, 9, and 26 are respectfully requested.

#### Claims 28-42

Claims 28-33 and 35-42 were rejected under 35 USC §103(a) as being unpatentable over Abe, Berstis, and Nanba as applied to the claims above, and further in view of Harada (U.S. Patent No. 6,052,645). Claim 34 was rejected under 35 USC § 103(a) as being unpatentable over Abe, Berstis, Nanba, and Harada as applied to the claims above, and further in view of Yokoyama et al. Applicant respectfully traverses the rejection.

Applicant's independent claim 28, as amended, recites a navigation system for negotiating a decision point along a route that recognizes an approaching decision point in the route and triggers an overlay screen on the navigation device to display a decision point with a highlighted portion indicating a course to follow through the decision point, and the overlay screen displays motion of the navigation device on the course through the decision point.

As noted above, Abe, Berstis, and Nanba do not describe these aspects of the Applicant's invention.

The Examiner recited Harada to at least illustrate the use of a server and the communication between a navigation system and the server. Applicant respectfully submits that Harada, however, does not cure the above identified deficiencies of Abe, Berstis, and Nanba. As such, each and every element of independent claim 28 is not taught or suggested in cited documents, either independently or in combination. Therefore, the 103 rejection should be withdrawn.

Reconsideration and withdrawal of the 103 rejection for the above independent claim, as well as those claims which depend therefrom, are respectfully requested.

### CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 659-9340 to facilitate prosecution of this matter.

At any time during the pendency of this application, please charge any additional fees or credit overpayment to the Deposit Account No. 501-791.

**Additionally, please direct all future correspondence regarding this case to:  
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**CERTIFICATE UNDER 37 CFR §1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: **MS AMENDMENT** Commissioner of Patents, P.O. BOX 1450, Alexandria, VA 22313-1450 on this 3<sup>rd</sup> day of June, 2004.

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